

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

In Re:	:	Bankruptcy No. 23-12178-MDC
Helen K Gay	:	Chapter 13
	:	
	:	
Debtor	:	
	:	
Teachers Federal Credit Union	:	
Movant	:	
vs.	:	
	:	
Helen K Gay	:	
	:	
Debtor/Respondent	:	
and	:	
Kenneth E. West, Esquire	:	
Trustee/Respondent	:	

OBJECTION TO CONFIRMATION OF THE PLAN

Teachers Federal Credit Union (“Movant”), by its attorneys, Hladik, Onorato & Federman, LLP, objects to confirmation of the Chapter 13 Plan of Debtor, Helen K Gay (“Debtor”), as follows:

1. As of the bankruptcy filing date of July 24, 2023, Movant holds a secured Claim against the Debtor’s Vehicle, a 2022 KIA TELLURIDE VIN: 5XYP6DHC7NG212530 (the “Vehicle”).
2. Movant filed a Proof of Claim on August 22, 2023, with a total secured claim in the amount of \$38,352.56, with an interest rate of 4.19%.
3. The Plan only proposes to pay a total claim of \$31,114.00 with an interest rate of 0.00%.
4. The Plan violates of 11 USC § 1325(a)(5)(B)(ii) by not providing for Movant to receive the full value of its claim plus interest, as the debt was incurred on September 8, 2021, which is within 910 days of the filing of the instant bankruptcy.
5. Any attempt by the Debtor to modify any portion of this Contract with Movant should be denied.

6. Movant objects to the feasibility of the Plan under 11 U.S.C. § 1325(a)(6). The Plan proposed by Debtors is not feasible. Movant requests that the bankruptcy case either be converted to a Chapter 7 or be dismissed pursuant to 11 U.S.C. § 1307.

WHEREFORE, Movant respectfully requests that this Honorable Court deny confirmation of the Debtors' Chapter 13 Plan.

Respectfully submitted,

Dated: 08/25/2023

/s/Sarah K. McCaffery, Esquire
Sarah K. McCaffery, Esquire
Hladik, Onorato & Federman, LLP
298 Wissahickon Avenue
North Wales, PA 19454
Phone 215-855-9521
Fax 215-855-9121
smccaffery@hoflawgroup.com

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Debtor/Respondent	:	
and	:	
Kenneth E. West, Esquire	:	
Trustee/Respondent	:	

**CERTIFICATE OF MAILING OF OBJECTION TO THE PROPOSED
PLAN TO PARTIES IN INTEREST**

I, Sarah K. McCaffery, Esquire, attorney for Teachers Federal Credit Union (“Movant”), certify that I served a copy of the attached Objection to the Plan to the parties below on 08/25/2023:

Brad J. Sadek, Esquire
Via Electronic Filing
Attorney for Debtor

Kenneth E. West, Esquire
Via Electronic Filing
Trustee

Date: 08/25/2023

Helen K Gay
1646 Ward Street
Marcus Hook, PA 19061
Via First Class Mail

Debtor

Respectfully Submitted,
/s/Sarah K. McCaffery, Esquire
Sarah K. McCaffery, Esquire
Hladik, Onorato & Federman, LLP
298 Wissahickon Avenue
North Wales, PA 19454
Phone 215-855-9521/Fax 215-855-9121
smccaffery@hoflawgroup.com